

ORDINANCE NO. 33-2021

Bullock, Kepple, Litten, Neff,  
BY: Rader, Shachner

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council to create Chapter 357 Electric Charging Stations within the Lakewood Codified Ordinances.

WHEREAS, Lakewood has obtained grant funds used to install electric vehicle charging stations; and

WHEREAS, Lakewood should establish regulations for the installation, placement and charging of fees to use; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal department in that Lakewood should be regulating and recovering fees for electric car charging stations as soon as possible; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Chapter 357 Electric Vehicle Charging Stations, of the Lakewood Codified Ordinances, is hereby enacted to read as follows:

**357.01 ELECTRIC VEHICLE CHARGING STATIONS.**

The Director of Public Safety is hereby authorized and directed to establish electric vehicle charging stations in public parking lots, streets, or portions thereof as they may deem necessary. As with the general consideration of parking meter zones (355.01), The Director shall determine the location of such chargers on the basis of an applicable survey and shall consider the following:

- (a) The existing and potential traffic movement, volume and conditions;
- (b) The desirability of expediting travel during normal and peak hours of vehicular traffic;
- (c) The maximum promotion of public safety including the study of the location and frequency of accidents;
- (d) The convenience and welfare of the general public in parking, standing, loading and unloading, and the use of the public parking lots and streets as affecting business concerns;
- (e) Economy in the expenditure of money.

**357.02 DESIGNATION/INSTALLATION OF ELECTRIC CHARGING PARKING SPACES AND STATIONS.**

The Director of Public Safety is hereby directed and authorized to mark off parking spaces and install charging stations in parking zones designated and described in Section 355.01 as well as in public parking lots or any such other zones as may hereafter be established. Each electric vehicle

charging space will be designated by lines painted, signage, and/or durably marked on the curbing or surface of the street. At each space so marked off, no person shall park any vehicle not engaged in electric vehicle charging or in such a way that such vehicle is not entirely within the limits of the space so designated or not engaged.

### **357.03 REGULATION, CONTROL, MAINTENANCE, AND USE OF CHARGING STATIONS.**

(a) The Director of Public Safety shall be responsible for the regulation, control, maintenance and use of such electric vehicle charging stations. The Director shall, from time to time, establish an electric vehicle charging fee schedule designating the location of charging stations and the fee to be paid by the operator of any vehicle occupying a designated charging parking space and/or using the charging equipment.

(b) Said Schedule shall be determined administratively and structured to cover the following elements:

(i.) The cost of the electricity provided to the electric vehicle by the charger.

(ii.) The life cycle cost of maintenance and replacement of the charging station equipment.

(iii.) Any additional cost deemed necessary to incentivize proper use of the stations and associated parking spaces in accordance with this chapter.

(c) Following initial determination, subsequent updates to said Schedule will be filed with the Clerk of Council. If Council fails to reject said Schedule within sixty days, said Schedule shall become effective.

### **357.04 OPERATION OF CHARGING STATIONS.**

(a) Except in a period of emergency determined by an officer of the Divisions of Fire or Police, or in compliance with the directions of a police officer or traffic control sign or signal, when any vehicle is parked in any designated electric charging space, the operator of such vehicle shall, upon entering the space, immediately make or cause to be made the actions required to connect, conduct, and make proper payment for electric charging of their vehicle. Failure to take such actions as to connect the charging station to the vehicle, place the station into operation, and make proper payment when so required, shall constitute a violation of this section.

(b) Upon taking actions to connect and place the charging station into operation, the parking space may be lawfully occupied by the electric vehicle undergoing charging during the period of time which has been prescribed for that charging station. If such vehicle remains parked and connected in any such electric charging space beyond the time limit set for such space, then such vehicle shall be considered as exceeding the allowable charging time and be deemed in violation of this section.

(c) As used in this section, "proper payment" means payment by the method as designated by the charging station equipment.

### **357.05 USE OF FUNDS.**

The payments collected by electric charging stations shall be used to defray the expense of electricity provided and life cycle costs to maintain and replace station equipment.

### **357.06 ENFORCEMENT.**


Concurrent to Section 355.10, it shall be the duty of the Division of Police to enforce the provisions of this chapter. The Director of Public Safety, with the approval of the Chief of Police, may designate not more than five civilian employees of the City to additionally issue citations for

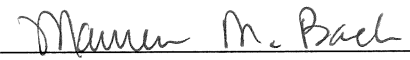
violations of 357.02 or 357.04 specific to vehicles parked in electric vehicle charging spaces while not connected or engaged in electric vehicle charging.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

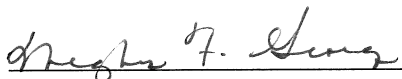
Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: 12/20/2021

  
Daniel J. O'Malley, Council President

  
Maureen M. Bach, Council Clerk

Approved: 12/29/21

  
Meghan F. George, Mayor